ORIGINAL

6-4-01

IN THE UNITED STATES DISTRICT COURT FOR THE MIDDLE DISTRICT OF PENNSYLVANIA

FILED HARRISBURG

CHARLES ISELEY,

: Plaintiff :

y**.** :

W. CONWAY BUSHEY, et al.,

Defendants

MARY E. D'ANDREA, CLERK

No. 1:00-CV-00577

(Judge Kane)

DEFENDANTS' MOTION FOR SUMMARY JUDGMENT

Pursuant to Rule 56 of the Federal Rules of Civil Procedure, defendants, hereby request this Court to grant summary judgment in their favor in this action as there are no genuine issues of material facts in this case that are in dispute and defendants are entitled to judgment as a matter of law.

This motion is supported by the attached statement of material facts. A brief supporting the motion will be filed within the time permitted by the local rules.

WHEREFORE, summary judgment should be granted in favor of defendants.

Respectfully submitted,

D. MICHAEL FISHER Attorney General

By:

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DATE: June 1, 2001

MARYANNE M. LEWIS Deputy Attorney General

SUSAN J. FORNEY Chief Deputy Attorney General Chief, Litigation Section

IN THE UNITED STATES DISTRICT COURT FOR THE MIDDLE DISTRICT OF PENNSYLVANIA

CHARLES ISELEY,

Plaintiff

W. CONWAY BUSHEY, <u>et al.</u>,

Defendants

(Judge Kane)

CERTIFICATE OF SERVICE

I, Maryanne M. Lewis, Deputy Attorney General, hereby certify that on this date I caused to be served the foregoing Defendants' Motion for Summary Judgment, by depositing a copy of the same in the United States mail, postage prepaid, in Harrisburg, PA., addressed to the following:

Charles Iseley, #AM-9320 SCI-Huntingdon 1100 Pike St. Huntingdon, PA 16654

DEPUTY ATTORNEY GENERAL

DATE: June 1, 2001